IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

OSWALDO BARRIOS, ON BEHALF OF HIMSELF AND ALL OTHER SIMILARLY SITUATED;

SA-25-CV-00291-JKP

Plaintiff,

VS.

MASTEC NETWORK SOLUTIONS, LLC, INSTALLATION SQUAD, LLC,

Defendants.

ORDER FOR ADVISORY

Before the Court in the above-styled cause of action are the parties' Notices of Settlement [#22, #23], informing the Court that Plaintiff has resolved his claims against the remaining two Defendants (MasTec Network Solutions, LLC, and Installation Squad, LLC) and the parties anticipate filing dismissal papers within 30 days. There are three pending motions in this case: a motion to dismiss filed by MasTec Network Solutions, LLC [#7]; a motion for default judgment against Installation Squad, LLC [#19]; and a motion for leave to file a second amended pleading [#20]. The Court will moot the motion to dismiss and motion for default judgment in light of the settlement notices. However, it is unclear whether Plaintiff still wishes to pursue his motion for leave to file an amended pleading to add a new defendant, MasTec North America, Inc. The Court will therefore order Plaintiff to file an advisory within seven days to clarify whether the notices of settlement indicate complete resolution of all the remaining claims and issues before the Court.

IT IS THEREFORE ORDERED that Defendant MasTec Network Solutions, LLC's Rule 12(b)(6) Motion to Dismiss [#7] and Plaintiff's Request for Default Judgment Against Defendant Installation Squad, LLC [#19] are DISMISSED AS MOOT.

IT IS FURTHER ORDERED that Plaintiff and MasTec Network Solutions, LLC, and Installation Squad, LLC file dismissal papers by August 22, 2025.

IT IS FINALLY ORDERED that Plaintiff file an advisory on or before July 30, 2025, regarding the status of his motion for leave to amend and whether all issues before the Court are now resolved.

SIGNED this 23rd day of July, 2025.

ELIZABETH S. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDG